



TUS

Ollscoil Teicneolaíochta na Sionainne:
Lár Tíre, An tIarlthar Láir
Technological University of the Shannon:
Midlands Midwest

Carer's Leave Policy

2026-2029

HUMAN RESOURCES

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1. Introduction

TUS Carer's Leave Policy is intended to provide staff of the Technological University of the Shannon (TUS) with details on the entitlements in relation to Carer's Leave.

This policy has been written with reference to the Carer's Leave Act, 2001, which entitles an eligible staff member to take unpaid leave from the University, to enable them to provide full-time care and attention for a relevant person who is in need of such care.

While carer's leave is unpaid by the TUS, the staff member may be entitled to carer's benefit based on employee's PRSI contributions. This is determined by the Department of Social Protection, (DSP).

2. Purpose

This policy outlines the procedures for eligible staff in TUS who wish to apply for Carer's Leave.

3. Definitions

- An eligible staff member is a person who has completed 12 months continuous service with the University. The staff member must also be working for a minimum of 16 hours per week or 32 hours per fortnight in insurable employment - staff do not have to meet this condition, if the staff member is receiving carers benefit in the previous 26 weeks.
- A relevant person or care recipient is a person deemed by the DSP to be in need of full-time care and attention. The decision is based on details provided by the care recipient's doctor, which will have also been assessed by the DSP's Medical Advisor.

4. Scope

Carer's Leave Act, 2001 provides for the temporary unpaid absence from employment of an eligible staff member for the purpose of the provision of full-time care and attention to a relevant person requiring it, whilst protecting their employment rights.

5. Roles and Responsibilities

5.1. Line Managers/Supervisors

- Authorise leave requests in a timely manner.
- Ensure a discussion takes place with staff member in preparation for the leave.

- Ensure fair and consistent application of leave policies
- Promote an environment of equality, diversity and inclusion which support work life initiatives.

5.2. Staff

- Read and understand this policy and make themselves aware of their obligations.
- Apply for leave within defined timelines.
- Provide required documentation
- Provide reasonable notice to the line manager/supervisor to take leave for a plan to be put in place to avoid/minimise any disruption to serviceRead and understand this policy and make themselves aware of their obligations.

6. Entitlements & Duration

- 6.1. An eligible staff member is entitled to take a maximum of 104 working weeks unpaid leave to provide full-time care and attention for a relevant person.
- 6.2. Carer's leave can only be taken by a staff member for the purpose of providing full-time care and attention to a relevant person who is in-need of care, and they must do so for the duration of such leave. The staff member must live with the care recipient or, under certain circumstances, be in close proximity with a direct line of communication to them. Carer's leave will not be granted if the care recipient is in receipt of full-time care from another person, during the period requested.
- 6.3. Once the 104 weeks allocation has been exhausted, the staff member cannot apply for additional carer's leave for the same care recipient, regardless of the relationship or circumstances. The staff member can however apply for carer's leave for another care recipient, subject to the terms of the Act and this policy.
- 6.4. Under the Carer's Leave Act 2001, a staff member is entitled to take care of only one relevant person at any one time. However, where two relevant persons reside together, the staff member can take a combined total of 208 weeks (that is 104 weeks in respect of each person).
- 6.5. Staff are not entitled to a period of carer's leave, where another staff member of the University is absent from employment, due to carer's leave for the same period for the same care recipient.
- 6.6. Carer's leave may be taken as a continuous block of 104 weeks for each relevant person or, with the agreement of the University, in shorter periods adding up to 104

weeks for each relevant person. If the leave is broken up, there must be an interval of at least 6 weeks between each of the leave periods for each relevant person.

- 6.7. The University may refuse, on reasonable grounds, to permit a staff member to take a period of carer's leave which is less than 13 weeks duration. Where the University so refuses, explanation will be provided in writing to the staff member the grounds for such refusal.
- 6.8. A staff member who has been approved for carer's leave may be allowed, in exceptional circumstances, to work for up to 18.5 hours per week in the University, whilst on carer's leave. Such a request must be included in the Employee Request application. Whilst the Human Resources will do their utmost to facilitate this request, there is no obligation on the University to facilitate such a working arrangement.
- 6.9. Qualifying for carer's leave does not automatically mean that the staff member will also qualify for Carer's Benefit, as PRSI contributions conditions must be met. Alternatively, Carer's Allowance may be payable, if the PRSI contributions conditions have not been met. To ensure preservation of social insurance records, staff members should contact the DSP, to request that appropriate credits are made during this period of carer's leave.

7. Application Process

- 7.1 The staff member must submit an application to the DSP using the *Carer's Benefit Claim Form* at least six weeks in advance of the proposed commencement date of the period of carer's leave, by completing Form CARB1 and forwarding it to the Carer's Benefit Section in the DSP.
- 7.2 Applications for carer's leave for approval by the DSP may take between six to twelve weeks to approve and process. Therefore, staff who wish to apply for such leave should consider this wait time and note that delays can occur.
- 7.2 The deciding officer from the DSP will be responsible for verifying that the prospective care recipient is a 'relevant person'.
- 7.3 The staff member must submit their notice of intention to take carer's leave for approval via the Employee Request facility on the Employee Self Service System (ESS) no later than six weeks prior to intending to begin leave. In exceptional emergency circumstances, when it has not been possible to comply with the 6 weeks' notice requirement, this may be waived. However, the staff should provide as much

notice to their line manager/supervisor and Human Resources, as is reasonably practicable

- 7.4 Prior to taking carer's leave, the staff member must provide Human Resources, for their information only, with a copy of the decision from the DSP, stating that the relevant person has been medically certified as being in need of full-time care and attention. Carer's leave cannot be approved by the University until this document has been received by Human Resources. Failure to do so may result in a delay or cancellation of the employee's requested carer's leave, except in exceptional circumstances.
- 7.5 Both the staff member and the University must, not less than two weeks prior to the proposed commencement of the carer's leave, prepare and sign a confirmation document. This must specify:
- the date the leave will begin
 - the duration, and
 - the manner in which it will be taken.

8. Resumption of Duty

- 8.1 Requests to resume duty earlier than the expected end date of carer's leave will be considered in the first instance by the line manager/supervisor, in consultation with Human Resources. Written notice to be given 4 weeks before the intended date of return to work, must be submitted, to Human Resources.
- 8.2 Where a full block leave of 104 weeks has been taken, the University will only re-vet a staff member, on return from this leave, in line with the TU Staff Garda Vetting Policy and Procedures.
- 8.3 Salary will only recommence upon full resumption of duties, except where 6.4 applies, in which case they return to their full salary.
- 8.4 A staff member on carer's leave who intends to resign from their post shall give the University notice in accordance with the terms of their contract of employment. Notifications to resign should be submitted in writing to Human Resources and to their relevant line manager/supervisor. It is the responsibility of the staff member to inform the DSP of their change in circumstances.
- 8.5 A staff member must notify the University of their intention to return to work. If this is not received, the University, may consider having to terminate the contract of employment, on the date carers leave is due to end. (The onus will be on the staff

member to keep the University updated, via the employee portal, in terms of their contact details while on carer's leave).

- 8.6 While on carer's leave, the staff member is welcome to apply for TUS vacancies advertised both internally and externally. If a staff member on carer's leave applies for and is recommended for appointment to a new post, they are expected to return to work, and their carer's leave will cease. However, any outstanding balance of carer's leave may be used for a future application for the same care recipient, subject to approval of the staff member's line manager/supervisor, Human Resources and the DSP.

9. Protection of Employment Rights

Staff on carer's leave are regarded as still being in employment and none of their rights relating to their employment with the University will be affected, with the exception of remuneration, annual leave, sick leave, superannuation benefits or any obligation to pay contributions in, or in respect of any such employment. It should be noted that, as carer's leave consists of an unpaid absence, such leave is not reckonable for superannuation purposes.

A staff member on carer's leave remains an employee of the University and is subject to all relevant legislation and TUS policies and procedures.

9.1. Annual Leave / Public Holidays

A staff member will accrue annual leave in the initial 13 weeks of absence from work on carer's leave, for each relevant period. The staff member is entitled to the benefit of public holidays and bank holidays that occur during the first 13 weeks of absence from work on carer's leave, for each relevant period.

9.2. Other Leave

Carer's leave cannot be treated as a part of any other leave from employment including annual leave, sick leave, adoptive leave, maternity leave, parental leave or emergency family (force majeure) leave to which a staff member is entitled.

10. Change in Circumstances

It is the responsibility of the staff member to notify Human Resources should the circumstances regarding the approval of their carer's leave change during the period

granted. A staff member found to be abusing their entitlement to carer's leave, i.e., the leave is used for another purpose other than which it has been granted for, will be immediately removed from this arrangement and may be subject to the University's Disciplinary Procedures.

11. Compliance/Monitoring Review

This Policy will be updated as required to reflect changes in applicable laws or in relevant circular letters.

The policy will be reviewed every 4 years to reflect national policy and guidelines, and national / international benchmarks of best practice.

12. Queries

For enquiries on this policy please contact the relevant HR Office:

TUS Midlands: hr.midlands@tus.ie TUS Midwest: hr.midwest@tus.ie